

1 JEAN E. WILLIAMS
2 Deputy Assistant Attorney General
3 United States Department of Justice
4 Environment & Natural Resources Division

5 BARCLAY T. SAMFORD
6 Trial Attorney
7 Natural Resources Section
8 Environment & Natural Resources Division
9 U.S. Department of Justice
10 999 18th St., South Terrace, Suite 370
11 Denver, CO 80202
12 Telephone: (303) 844-1475
13 Facsimile: (303) 844-1350
14 Clay.Samford@usdoj.gov

15 *Attorneys for Federal Defendants*

16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA
18 SAN DIEGO DIVISION

19 WHITEWATER DRAW NATURAL
20 RESOURCE CONSERVATION
21 DISTRICT, *et al.*,

22 Plaintiffs,

23 v.

24 KIRSTJEN M. NIELSEN, *et al.*,

25 Federal Defendants.

Case No. 3:16-cv-2583

**JOINT MOTION FOR ENTRY OF
PROPOSED BRIEFING SCHEDULE**

Hon. H. James Lorenz

1 On January 15, 2019, the Court granted Defendants' motion to stay this litigation
2 during the lapse in federal appropriations. ECF No. 64. As directed by the Court, the
3 Defendants hereby give notice that appropriations have been restored.
4

5 The Court also directed Defendants to submit a proposed order which extends the
6 previous deadlines commensurate with the duration of the lapse in appropriations. ECF
7 No. 64. The undersigned counsel for the parties have conferred and hereby request that
8 the Court enter the schedule set forth below, which extends the previous deadlines
9 commensurate with the duration of the lapse in appropriations.
10

11 1. Defendants shall lodge with Court, and provide to Plaintiffs, the
12 Administrative Records for the challenged decisions on or before **March 14, 2019**.
13

14 2. Plaintiffs shall file any motion to supplement or challenge the contents of the
15 Administrative Records on or before **April 12, 2019**. If any such motion is filed, that
16 motion will be briefed and presented in accordance with the local rules. Additionally, the
17 parties shall submit a revised proposed schedule for summary judgment briefing within
18 10 calendar days following the resolution of any such motion.
19
20

21 3. In the absence of a motion to supplement or challenge the Administrative
22 Records, Plaintiffs shall file their motion for summary judgment on or before **April 24,**
23 **2019**.
24

25 4. Defendants shall file a combined response to Plaintiffs' motion and a cross-
26 motion for summary judgment on or before **May 24, 2019**.
27
28

1 5. Plaintiffs shall file a combined reply in support of their motion for summary
2 judgment and in response to Defendants' cross-motion on or before **June 7, 2019**.

3 6. Defendants shall file a reply in support of their cross-motion for summary
4 judgment on or before **June 21, 2019**.

5 A proposed order is submitted herewith.
6
7

8 Respectfully submitted,

9 DATED: January 31, 2019

JEAN E. WILLIAMS
Deputy Assistant Attorney General

10 /s/ Barclay T. Samford
11 BARCLAY T. SAMFORD
12 Trial Attorney
13 Natural Resources Section
14 Environment & Natural Resources Division
15 U.S. Department of Justice
16 999 18th St., South Terrace, Suite 370
17 Denver, CO 80202
18 Telephone: (303) 844-1475
19 Facsimile: (303) 844-1350
20 Clay.Samford@usdoj.gov

Attorneys for Federal Defendants

21 /s/Julie Axelrod
22 Cal Bar. 250165
23 Center for Immigration Studies
24 1629 K Street, NW, Suite 600
25 Washington, DC 20006
26 Telephone 703-888-2442

27 Lesley Blackner
28 Admitted Pro Hac Vice
Florida Bar No. 654043
340 Royal Poinciana Way, Suite 317-377

1 Palm Beach, FL
2 Telephone: (561) 659-5754

3 James P. Miller
4 Cal. Bar No. 188266
5 JP Miller Law
6 181 Rea Ave., Suite 101
7 El Cajon, CA 92020
8 Telephone: (619) 590-0383

9
10 **Signature Certification**

11 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
12 and Procedures Manual, I hereby certify that the content of this document is acceptable to
13 Julie Axelrod, counsel for Plaintiffs, the Waterwater Draw Natural Resources
14 Conservation District, *et al.*, and that I have obtained Ms. Axelrod's authorization to affix
15 her electronic signature to this document.

16 /s/ Barclay T. Samford
17 BARCLAY T. SAMFORD
18 Trial Attorney
19 Natural Resources Section
20 Environment & Natural Resources Division
21 U.S. Department of Justice
22 999 18th St., South Terrace, Suite 370
23 Denver, CO 80202
24 Telephone: (303) 844-1475
25 Facsimile: (303) 844-1350
26 Clay.Samford@usdoj.gov